

INTERNATIONAL SEARCH REPORT

Internal Application No
PCT/IB 02/00853

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K31/337 A61P35/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, BIOSIS, EMBASE, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GELMON KA ET AL.: "Phase I Dose-Finding Study of a New Taxane, RPR 109881A, Administered as a One-Hour Intravenous Infusion Days 1 and 8 to Patients With Advanced Solid Tumors" JOURNAL OF CLINICAL ONCOLOGY, vol. 18, no. 24, 15 December 2000 (2000-12-15), pages 4098-4108, XP008010641	1
Y	page 4105, right-hand column, paragraph 2 page 4098 -page 4099, left-hand column, paragraph 3 page 4104, right-hand column, paragraph 2 figure 1 --- -/--	2-19

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

7 March 2003

Date of mailing of the international search report

11/04/2003

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	<p>KURATA T ET AL.: "Phase I and Pharmacokinetic Study of a New Taxoid, RPR 109881A, Given as a 1-Hour Intravenous Infusion in Patients With Advanced Solid Tumors"</p> <p>JOURNAL OF CLINICAL ONCOLOGY, vol. 18, no. 17, September 2000 (2000-09), pages 3164-3171, XP008010639 abstract page 3164 -page 3165, paragraph 1 page 3169 -page 3170</p>	1-19
Y	<p>LOPES N M ET AL: "ASSESSMENT OF MICROTUBULE STABILIZERS BY SEMIAUTOMATED IN VITRO MICROTUBULE PROTEIN POLYMERIZATION AND MITOTIC BLOCK ASSAYS" CANCER CHEMOTHERAPY AND PHARMACOLOGY, SPRINGER VERLAG, BERLIN, DE, vol. 41, no. 1, 1997, pages 37-47, XP000869505 ISSN: 0344-5704 abstract page 37, right-hand column -page 38, left-hand column see PNU-100940 figure 1 figure 5B table 1</p>	1-19
Y	<p>WO 94 10995 A (BISSERY MARIE CHRISTINE ;RHONE POULENC RORER SA (FR)) 26 May 1994 (1994-05-26) cited in the application the whole document</p>	1-19
Y	<p>EP 0 827 745 A (RHONE POULENC RORER SA) 11 March 1998 (1998-03-11) cited in the application the whole document</p>	1-19
Y	<p>EP 0 982 028 A (RHONE POULENC RORER SA) 1 March 2000 (2000-03-01) claims 5-7</p>	1-19
A	<p>JOHNSON R A ET AL: "TAXOL CHEMISTRY. 7-O-TRIFLATES AS PRECURSORS TO OLEFINS AND CYCLOPROPANES" TETRAHEDRON LETTERS, ELSEVIER SCIENCE PUBLISHERS, AMSTERDAM, NL, vol. 35, no. 43, 1994, pages 7893-7896, XP000995197 ISSN: 0040-4039 the whole document</p>	1-19
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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	BUDAVARI S ET AL.: "The Merck Index, 13th edition" 2001, MERCK RESEARCH LABORATORIES, WHITEHOUSE STATION, NJ, USA XP002220996 Docetaxel page 597 -page 598 Paclitaxel page 1251	1-19

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Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 7-9, 14-17 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☒ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

The expressions 'derivative' and 'analogue' in claims 1, 3 and 4 are considered to be unclear in the sense of Article 6 PCT as neither the extent of derivatisation nor the nature of analogy (functional, structural, etc.) has been specified.

Claims 1 and 6 relate to genera of compounds, namely 'alkylating agent', 'antimetabolite', 'spindle poison', 'vinca alkaloids, their synthetic or semi-synthetic analogues', 'antibiotic', 'enzyme', 'topoisomerase inhibitor', 'biological response modifier', and 'growth factor inhibitor', defined only by their function wherein the relationship between the structural features of the members of the genera and said function have not been defined.

In the absence of such a relationship either disclosed in the as-filed application or recognisable by one skilled in the art based upon information readily available, the skilled artisan would not know how to make and use compounds that lack a structural definition. Consequently an objection on lack of clarity in the sense of Article 6 PCT must be raised.

The search has been limited to pharmaceutical compositions comprising the compound of formula 1 or a pharmaceutically acceptable salt thereof in combination with at least one compound selected from the group of compounds specifically named in the claims or on pages 2-3 of the description, namely cyclophosphamide, isosfamide, melphalan, hexamethylmelamine, thiotepa, dacarbazine, 5-fluorouracil, cytarabine, 2-fluorodeoxycytidine, methotrexate, idatrexate, trimetrexate, estramustine, navelbine, vinblastine, vincristine, epidophyllotoxins (including etoposide and teniposide), daunorubicin, doxorubicin, bleomycins, mitomycin, L-asparaginase, camptothecin, CPT-11 (irinotecan), topotecan, platinum coordination complexes (including cisplatin and carboplatin), interferons, interleukins, procarbazine, and mitoxantrone.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9410995	A	26-05-1994	FR 2697752 A1 13-05-1994
		AT 165002 T 15-05-1998	
		AT 205083 T 15-09-2001	
		AU 680845 B2 14-08-1997	
		AU 5425394 A 08-06-1994	
		CZ 9501193 A3 18-10-1995	
		CZ 290120 B6 12-06-2002	
		DE 69318033 D1 20-05-1998	
		DE 69318033 T2 22-10-1998	
		DE 69330724 D1 11-10-2001	
		DE 69330724 T2 11-07-2002	
		DK 667771 T3 07-10-1998	
		DK 827745 T3 19-11-2001	
		EP 1093811 A1 25-04-2001	
		EP 0667771 A1 23-08-1995	
		EP 0827745 A1 11-03-1998	
		ES 2114620 T3 01-06-1998	
		ES 2163076 T3 16-01-2002	
		FI 952248 A 09-05-1995	
		WO 9410995 A1 26-05-1994	
		GR 3026666 T3 31-07-1998	
		GR 3036537 T3 31-12-2001	
		HU 72499 A2 28-05-1996	
		JP 8503205 T 09-04-1996	
		MX 9306924 A1 31-05-1994	
		NO 951327 A 05-04-1995	
		NZ 257585 A 25-06-1996	
		PL 308902 A1 04-09-1995	
		PT 827745 T 28-02-2002	
		RU 2131250 C1 10-06-1999	
		SK 59595 A3 08-05-1996	
		TW 386877 B 11-04-2000	
		US 2002197245 A1 26-12-2002	
		US 6214863 B1 10-04-2001	
		US 5728687 A 17-03-1998	
		US 6239167 B1 29-05-2001	
		US 5908835 A 01-06-1999	
		ZA 9308182 A 09-06-1994	
EP 0827745	A	11-03-1998	FR 2697752 A1 13-05-1994
			EP 1093811 A1 25-04-2001
			EP 0827745 A1 11-03-1998
			GR 3036537 T3 31-12-2001
			AT 165002 T 15-05-1998
			AT 205083 T 15-09-2001
			AU 680845 B2 14-08-1997
			AU 5425394 A 08-06-1994
			CZ 9501193 A3 18-10-1995
			CZ 290120 B6 12-06-2002
			DE 69318033 D1 20-05-1998
			DE 69318033 T2 22-10-1998
			DE 69330724 D1 11-10-2001
			DE 69330724 T2 11-07-2002
			DK 667771 T3 07-10-1998
			DK 827745 T3 19-11-2001
			EP 0667771 A1 23-08-1995
			ES 2114620 T3 01-06-1998
			ES 2163076 T3 16-01-2002

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Information on patent family members

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EP 0827745	A	FI 952248 A	09-05-1995
		WO 9410995 A1	26-05-1994
		GR 3026666 T3	31-07-1998
		HU 72499 A2	28-05-1996
		JP 8503205 T	09-04-1996
		MX 9306924 A1	31-05-1994
		NO 951327 A	05-04-1995
		NZ 257585 A	25-06-1996
		PL 308902 A1	04-09-1995
		PT 827745 T	28-02-2002
		RU 2131250 C1	10-06-1999
		SK 59595 A3	08-05-1996
		TW 386877 B	11-04-2000
		US 2002197245 A1	26-12-2002
		US 6214863 B1	10-04-2001
		US 5728687 A	17-03-1998
		US 6239167 B1	29-05-2001
		US 5908835 A	01-06-1999
		ZA 9308182 A	09-06-1994
EP 0982028	A	01-03-2000	
		EP 0982028 A1	01-03-2000
		AU 5742099 A	14-03-2000
		BG 105273 A	30-11-2001
		BR 9913071 A	15-05-2001
		CA 2341191 A1	02-03-2000
		CN 1313764 T	19-09-2001
		EE 200100082 A	17-06-2002
		WO 0010547 A2	02-03-2000
		EP 1105119 A2	13-06-2001
		HU 0104000 A2	29-04-2002
		JP 2002523364 T	30-07-2002
		NO 20010655 A	07-02-2001
		SK 2352001 A3	10-07-2001
		TR 200100575 T2	23-07-2001